

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

v.

SARA MARIE BOYD,

Defendant.

8:18CR74

**PRELIMINARY ORDER OF
FORFEITURE**

This matter is before the Court on the government's Motion for Preliminary Order of Forfeiture (Filing No. 22). The government seeks the forfeiture of \$6,783.74 in U.S. currency seized from defendant Sara Marie Boyd ("Boyd") on or about February 14, 2018. The Court has carefully reviewed the record in this case and finds as follows:

1. On September 21, 2018, Boyd pled guilty to Counts I and II of the Indictment and admitted the Forfeiture Allegation. Count I of the Indictment charged Boyd with conspiracy to distribute and possess with intent to distribute a mixture or substance containing marijuana, in violation of 21 U.S.C. § 846. Count II of the Indictment charged Boyd with knowingly and intentionally possessing with intent to distribute a mixture or substance containing marijuana, in violation of 21 U.S.C. § 841(a)(1) and (b)(1). The Forfeiture Allegation in the Indictment sought the forfeiture, pursuant to 21 U.S.C. § 853, of property taken from Boyd at or about the time of her arrest on February 14, 2018, including United States currency and blank money orders, on the basis that the property was used in the commission of the conspiracy or was derived from proceeds obtained directly or indirectly as a result of the commission of the conspiracy.

2. By virtue of her admission, Boyd forfeits her interest in the \$6,783.74 in United States currency and the government should be entitled to possession of said currency, pending disposition pursuant to 21 U.S.C. § 853.

3. The government's Motion for Preliminary Order of Forfeiture should be granted.

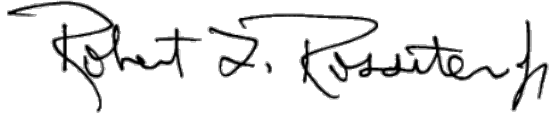
IT IS ORDERED:

1. The government's Motion for Preliminary Order of Forfeiture (Filing No. 22) is granted.
2. Based upon the Forfeiture Allegation of the Indictment and Boyd's guilty plea, the government is authorized to seize \$6,783.74 in United States currency.
3. Boyd's interest in the \$6,783.74 in United States currency is hereby forfeited to the government for disposition in accordance with the law, subject to the provisions of 21 U.S.C. § 853(n)(1).
4. The aforementioned currency is to be held by the government in its secure custody and control.
5. Pursuant to 21 U.S.C. § 853(n)(1), the government shall publish for at least thirty consecutive days on an official internet government forfeiture site, www.forfeiture.gov, notice of this Preliminary Order of Forfeiture, notice of publication evidencing the government's intent to dispose of the currency in such manner as the Attorney General may direct, and notice that any person, other than Boyd, having or claiming a legal interest in any of the subject currency, must file a Petition with the Court within thirty days of the final publication of notice or of receipt of actual notice, whichever is earlier.
6. The published notice shall state the Petition referred to in Paragraph 5, above, shall be for a hearing to adjudicate the validity of the Petitioner's interest in the currency, shall be signed by the Petitioner under penalty of perjury, and shall set forth the nature and extent of the Petitioner's right, title or interest in the subject currency and any additional facts supporting the Petitioner's claim and the relief sought.

7. The government may also, to the extent practicable, provide direct written notice to any person known to have an interest in the currency subject to this Order as a substitute for published notice as to those persons so notified.
8. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture pursuant to 21 U.S.C. § 853(n), in which all interests will be addressed.

Dated this 26th day of September 2018.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Robert F. Rossiter, Jr.", with a stylized flourish at the end.

Robert F. Rossiter, Jr.
United States District Judge